

JAP:AHT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-10-562

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UNITED STATES OF AMERICA

- against -

STANLEY MAH,

Defendant.
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AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN ARREST
WARRANT

M. No. _____
(18 U.S.C. § 2252(a)(2))

EASTERN DISTRICT OF NEW YORK, SS.:

ROBERT MANCENE, being duly sworn, deposes and says that he is a Special Agent with Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

On or about and between January 1, 2007 and August 6, 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant STANLEY MAH did knowingly receive and distribute any visual depiction, the production of such visual depiction having involved the use of one or more minors engaging in sexually explicit conduct and such visual depiction was of such conduct, using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce or which contains materials which have been mailed or so shipped or transported, by any means including by computer.

(Title 18, United States Code, Section 2252(a)(2)).

The source of my information and the grounds for my belief are as follows:¹

1. I am a Senior Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), assigned to the Special Agent in Charge in the New York Office. I have been so employed by ICE and its predecessor agency, the Immigration and Naturalization Service since November 1994. I am currently assigned to the Child Exploitation Unit within ICE, which investigates criminal violations relating to child exploitation and child pornography including violations pertaining to the illegal production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2252(a) and 2252A. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. I have also participated in the execution of approximately 50 search warrants, approximately 10 of which involved child exploitation and/or child pornography offenses.

2. I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents, my training and experience, and discussions I have had with other law enforcement personnel

¹ Because the purpose of this complaint is merely to establish probable cause to arrest, I have not set forth all of the facts and circumstances concerning this investigation of which I am aware.

concerning the creation, distribution, and proliferation of child pornography. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

THE ICE INVESTIGATION

3. In June 2009, ICE agents received information that an individual named "Stanley Mah" had attempted to purchase a subscription to a child pornography website. Further investigation had revealed that MAH is a United States Army Reservist who had been stationed in Fort Lewis, Washington. The investigation revealed that on or about October 27, 2008 MAH was released from active duty.

4. I was further informed by ICE special agents in Seattle, Washington that MAH had relocated to Brooklyn, New York.

5. On July 24, 2009, I and other special agents traveled to the defendant's residence and knocked on the door. A woman answered the door and agents asked the woman if STANLEY MAH lived at the premises and if MAH was available to talk to the agents. The woman walked further inside the apartment. Shortly thereafter, MAH came to the front door. MAH permitted the agents to enter his apartment. The agents asked to speak to MAH alone and MAH led agents to a room that appeared to be MAH's bedroom. During the conversation with MAH, MAH denied having logged into a child pornography website but acknowledged that he received "spam" emails that on at least one occasion had led him to what appeared to be a child pornography website. During the same conversation MAH also stated that when he was 15 or 16 years old, he may have attempted

to join a child pornography website. Agents asked MAH to show him what computer he used. MAH directed the agents to a Alienware desktop computer ("Alien desktop") that was located in the living room of his apartment. MAH consented to the agents examining the desktop. While another agent examined the computer, I observed an image that was stored on the Alienware desktop that appeared to be child pornography, in that the image appeared to depict a minor female with exposed genitalia. MAH executed a written consent form in which he gave permission for agents to seize the Alienware desktop for the purpose of conducting a complete search of the computer.

6. After the Alienware desktop was taken from the defendant's apartment, an ICE computer forensic examiner produced a copy of the contents of a hard drive contained in the above-mentioned Alienware desktop. The copy of such a hard drive is commonly referred to as a "mirrored" copy.

7. On July 29, 2009, I viewed approximately 100 images of child pornography on the Alienware desktop. Among the images I was able to view:

a. An image with the filename of C:\Users\Stan\Documents\Azureus Downloads\misc\180-jenny\Pthc Ptsc 9Yo Jenny Enjoying Doggie Cockb.jpg depicting a prepubescent female engaged in oral sex with a canine.

b. An image with the filename of C:\Users\Stan\Documents\Azureus Downloads\misc\180-jenny\Pthc Ptsc 9Yo Jenny Tied Up And Smiling.jpg depicting the same prepubescent

female with her legs bound and a collar around her neck with her genitals exposed.

8. On August 4, 2009, the Honorable Steven M. Gold signed a search warrant authorizing ICE agents to search the defendant's apartment for images of child pornography and electronically stored files containing child pornography.

9. On August 6, 2009, ICE agents executed the above-mentioned search warrant. During their search, ICE agents found, among other things, three external hard drives. Forensic examination of these external hard drives revealed that they contained over 40,000 images of child pornography. For example, one image, with the filename Lost Files\The Pics\Fuck\Collar Russian\0073.jpg, depicts a prepubescent female engaged in oral sex with an adult male.

10. The defendant was interviewed during the execution of the above-mentioned search warrant. During that interview, the defendant admitted that he had downloaded child pornography from the internet and spent several hundred dollars on child pornography websites. The defendant was shown several images of child pornography that had been printed from the mirrored files of the Alienware computer. The defendant recognized these images and admitted to having viewed the images but could not remember which website he had downloaded them from. The defendant also admitted that he would masturbate to images of child pornography.

WHEREFORE, your affiant respectfully requests that the Court issue an arrest warrant for the defendant STANLEY MAH so that he may be dealt with according to law.



ROBERT MANCENE
Special Agent - ICE

Sworn to before me this
14th day of May, 2010

THE HONORABLE CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK